

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13103, of Eugene Kucera, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the minimum lot area requirements (Sub-section 3301.1) to use the first, second and third floors of the subject premises as an apartment house consisting of four units in an R-4 District at the premises 121 4th Street, N.E., (Square 815, Lot 800).

HEARING DATE: November 28, 1979
DECISION DATE: December 3, 1979

FINAL DATE OF ORDER: April 7, 1980

DISPOSITION: The Board DENIED the application by a Vote of 4-0 (William F. McIntosh, Connie Fortune, Charles R. Norris and Leonard L. McCants to DENY; Walter B. Lewis not voting, not having heard the case).

ORDER

The applicant, on April 28, 1980, filed a motion for Reconsideration of the Board's Order denying the application. The grounds for the motion are that the applicant contends that some of the Board's Findings of Fact are based on inaccurate information, such as the reports of the Office of Planning and Development Advisory Neighborhood and Capitol Hill Restoration Society. Upon consideration of the motion and the Order, the Board finds first that the motion for Reconsideration was untimely filed and secondly that the motion fails to state any substantive respects in which the final decision is claimed to be erroneous. The Board concludes that it has committed no error in deciding the application. It is therefore ORDERED that the Motion for Reconsideration is DENIED in both respects.

VOTE: 4-0 (Connie Fortune, William F. McIntosh, Charles R. Norris and Leonard L. McCants to DENY; Walter B. Lewis not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

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ATTESTED BY: Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 2 JUN 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."